

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 375 CS

Motor Vehicle Registration

SPONSOR(S): Barreiro

TIED BILLS:

IDEN./SIM. BILLS: SB 738

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Transportation Committee</u>	<u>10 Y, 0 N, w/CS</u>	<u>Thompson</u>	<u>Miller</u>
2) <u>Transportation & Economic Development Appropriations Committee</u>	<u>12 Y, 0 N</u>	<u>McAuliffe</u>	<u>Gordon</u>
3) <u>State Infrastructure Council</u>	<u>9 Y, 0 N, w/CS</u>	<u>Thompson</u>	<u>Havlicak</u>
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

HB 375 w/CS requires the Department of Highway Safety and Motor Vehicles (DHSMV), to include a check-off for a voluntary \$1.00 contribution per applicant on each motor vehicle registration and renewal form. The funds will be distributed to the Miami Heart Research Institute, Inc., doing business as the Florida Heart Research Institute, for heart disease research, education and prevention programs. The Miami Heart Research Institute, Inc., has completed the statutory requirements to seek Legislative enactment of a new voluntary contribution check-off on the motor vehicle registrations.

Currently, the motor vehicle registration and registration renewal form contains seven voluntary contribution check-offs. They include:

- \$1.00 for the Nongame Wildlife Trust Fund
- \$2.00 for the Highway Safety Operating Trust Fund
- \$5.00 for the Election Campaign Financing Trust Fund
- \$1.00 for the Transportation Disadvantaged Trust Fund
- \$1.00 for the Prevent Blindness Florida
- An unspecified amount for Florida Mothers Against Drunk Driving, Inc.
- \$1.00 for the Southeastern Guide Dogs, Inc.

The required \$10,000 fee provided by the Miami Heart Research Institute, Inc. will defray DHSMV's programming costs associated with the development of the motor vehicle registration and renewal application check-off form.

This act will take effect July 1, 2006.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

This bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Section 320.023, F.S., provides a procedure an organization must follow prior to seeking Legislative authorization to establish a voluntary check-off on a motor vehicle registration application. Before the organization is eligible, it must submit to DHSMV at least 90 days before the convening of the Regular Session of the Legislature:

- A request for the particular voluntary contribution being sought, describing it in general terms;
- An application fee of up to \$10,000 to defray DHSMV's costs for reviewing the application and developing the check-off, if authorized; and
- A short and long-term marketing strategy and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contributions.

DHSMV must discontinue the check-off if less than \$25,000 has been contributed by the end of the fifth year, or if less than \$25,000 is contributed during any subsequent 5-year period.

Currently, the motor vehicle registration and registration renewal form contains seven voluntary contribution check-offs. They include:

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- \$2.00 for the Highway Safety Operating Trust Fund
- \$5.00 for the Election Campaign Financing Trust Fund
- \$1.00 for the Transportation Disadvantaged Trust Fund
- \$1.00 for the Prevent Blindness Florida
- An unspecified amount for Florida Mothers Against Drunk Driving, Inc.
- \$1.00 for the Southeastern Guide Dogs, Inc.

HB 375 w/CS requires the DHSMV to include a check-off for a voluntary \$1.00 contribution per applicant on each motor vehicle registration and renewal form. The Miami Heart Research Institute, Inc., doing business as the Florida Heart Research Institute, has completed the statutory requirements authorizing it to seek Legislative enactment of the voluntary contribution check-off. The bill also provides that the funds must be used for the purpose of heart disease research, education, and prevention programs.

C. SECTION DIRECTORY:

Section 1. Amends s. 320.02, F.S., requiring the DHSMV to include a check-off for a voluntary \$1.00 contribution per applicant on each motor vehicle registration and renewal form and provides for the use of funds.

Section 2. Provides an effective date of July 1, 2006.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

There are no known or expected fiscal impacts on state government revenues.

2. Expenditures:

The required \$10,000 fee provided by the Miami Heart Research Institute, Inc. will defray DHSMV's programming costs associated with the development of the motor vehicle registration and renewal application check-off.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

There are no known or expected fiscal impacts on local government expenditures.

2. Expenditures:

There are no known or expected fiscal impacts on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Persons applying for registration or renewal of their vehicle will be permitted to make a \$1.00 voluntary contribution to benefit the Miami Heart Research Institute, Inc. The contribution is not mandatory. The estimated first year revenues are not known.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties

2. Other:

None.

B. RULE-MAKING AUTHORITY:

No rule-making authority is required to implement the provisions of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On **January 26, 2006** the Committee on Transportation amended HB 375 to change the name of the corporation which receives the funds from the check-off for a voluntary \$1.00 contribution to "Stop Heart Disease". The Miami Heart Research Institute, Inc. doing business as the Florida Heart Research Institute will receive the funds from the voluntary contribution check-off.

The committee then voted 10-0 to report the bill favorably with committee substitute.

On **March 14, 2006** the State Infrastructure Council amended HB 375 w/CS to delete the name of the entity which receives the funds from the check-off for a voluntary \$1.00 contribution, "Stop Heart Disease" because "Stop Heart Disease" is not registered with the Department of State, Division of Corporations as a corporate or limited partnership, or a limited liability company. The Miami Heart Research Institute, Inc. doing business as the Florida Heart Research Institute will receive the funds from the voluntary contribution check-off.

The council then voted 9-0 to report the bill favorably as a council substitute.